

LOEVY & LOEVY

David B. Owens, State Bar No. 275030

david@loevy.com

Jon Loevy

jon@loevy.com

Steven Art

steve@loevy.com

Alison R. Leff

alison@loevy.com

311 N Aberdeen St, 3rd Fl

Chicago, IL 60607

(312) 243-5900

SCHONBRUN SEPLOW HARRIS

HOFFMAN & ZELDES, LLP

Michael D. Seplow, State Bar No. 150183

mseplow@sshhzlaw.com

9415 Culver Blvd #115

Culver City, CA 90232

(310) 396-0731

Attorneys for Plaintiff,

GERARDO CABANILLAS

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

GERARDO CABANILLAS,

Plaintiff,

v.

CITY OF SOUTH GATE et al.

Defendants.

Case No.: 2:24-cv-08027-ODW-BFM

**DECLARATION OF ALISON R.
LEFF IN SUPPORT OF
PLAINTIFF'S APPLICATION TO
COURT FOR ENTRY OF DEFAULT**

I, Alison R. Leff, declare as follows under 28 U.S.C. § 1746:

1. I am counsel for Plaintiff Gerardo Cabanillas.

2. I am over 18 years old and have personal knowledge of the facts in this declaration.

3. I caused a copy of the complaint in this case to be filed on September 19, 2024. ECF No. 1.

4. My firm promptly provided a copy of the issued summonses for all defendants and the filed complaint to a process server and arranged for service

1 upon each defendant.

2 5. My firm received returned summonses from the process server for
3 each defendant.

4 6. According to the process server's affidavits, John Navarette was
5 served on October 18, 2024, and Anthony Porter was served on October 20, 2024.
6 ECF Nos. 52 and 53.

7 7. Under Fed. R. Civ. P. 12(a), these Defendants had 21 days—until
8 November 8, 2024, for John Navarette and November 12, 2024, for Anthony
9 Porter—to respond to the complaint.

10 8. Neither defendant has answered the complaint or otherwise
11 responded to it.

12 9. The Complaint alleges these two defendants were employees of the
13 City of Huntington Park at all times relevant to this lawsuit.

14 10. On October 25, 2024, Defendant Navarette contacted Plaintiff's
15 counsel Steve Art by email. In his email, Mr. Navarette acknowledged service of
16 the lawsuit and said he "would be contacting [his] former agency to see who will
17 be representing the City of Huntington Park in this matter."

18 11. On October 29, 2024, I called the clerk of the City of Huntington
19 Park to inquire about the City's nonresponse to this lawsuit. I left a message with a
20 receptionist at the clerk's office. No one returned my call.

21 12. As far as Plaintiff is aware, the defaulting parties are not infants or
22 incompetent people, as contemplated by Local Rule 55-1(c).

23 13. As far as Plaintiff is aware, the Servicemembers Civil Relief Act does
24 not apply to any of the defaulting defendants.

25
26 Dated: November 13, 2024

27 /s/ Alison R. Leff
28 Alison R. Leff
One of Plaintiff's Attorneys